

December 12, OFFICE OF THE SECRETARY

Ms. Donna R. Searcy Secretary Federal Communications Commission 1919 M Street N.W., Room 222 Washington, DC 20554 RECEIVED

DEU 1 4 1992

FCC - MAIL ROOM

Dear Ms. Searcy:

I am transmitting herewith an original and four copies of the Reply Comments of Wheeler Broadcasting, Inc. and Midwest Dimensions, Inc. opposing Docket 92-228.

Should there be any questions concerning this matter, please contact the undersigned.

Respectfully,

Bruce C Herzog Broadcast Engineering Consultant 1435 Knapp Street Oshkosh, WI 54901

(414) 426-2961

No. of Confes rec'd 1944 List A B COE

### RECEIVED

DEC 1 4 1992

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY
WASHINGTON, D.C. 2054

IN THE MATTER OF

AMENDMENT OF SECTION 73.202(B), TABLE OF ASSIGNMENTS, F.M. BROADCAST STATIONS, (ALLOUEZ, WISCONSIN)

DOC-92-228

RECEIVED

DEC 1 4 1992

FCC - MAIL ROOM

To the Commission:

#### REPLY COMMENTS TO PROPOSED RULEMAKING

Wheeler Broadcasting, Inc. ("Wheeler"), licensee of F.M. radio broadcast station WOWN at Shawano, Wisconsin, and Midwest Dimensions, Inc. ("Midwest"), licensee of F.M. radio broadcast station WPKR at Waupun, Wisconsin, hereby jointly submit Reply Comments to the Commission's Notice of Proposed Rulemaking ("NPRM") to amend the F.M. table of assignments, section 73.202(b) of the Commission's Rules and Regulations to add Channel 294-C3 at Allouez, Wisconsin.

In their comments submitted to the Commission on November 25, 1992, Wheeler and Midwest proposed the following substitutions:

	Current	Proposed
Shawano, Wisconsin	257-C3	294-C3
Oconto, Wisconsin	296-A	246-A
Escanaba, Michigan	246-C	245-C

The substitutions proposed by Wheeler and Midwest are mutually exclusive with the proposal of Michael R. Walton

("Walton") to allocate channel 294-C3 at Allouez, Wisconsin.

Julian Jetzer d/b/a Sheboygan Falls Broadcasting ("SFB") submitted a counterproposal to the NPRM proposing the allocation of Channel 294-A to Sheboygan Falls, Wisconsin rather than Channel 294-C3 to Allouez, Wisconsin. The proposal submitted by SFB is not mutually exclusive with the proposal jointly submitted by Wheeler and Midwest and the Commission could grant both requests.

Wheeler and Midwest hereby request that the Commission grant the substitutions requested in their Comments and modify the license of F.M. radio station WGLQ at Escanaba, Michigan to specify operating on Channel 245-C, modify the license of F.M. radio station WOCO-FM at Oconto, Wisconsin to operate on Channel 246-A, and change the allotment of F.M. radio station WOWN at Shawano, Wisconsin (FCC File Number BPH-910607IB) to Channel 295-C3 so that WOWN may eliminate its short spacings to F.M. radio broadcast stations WBNZ at Frankfort, Michigan and to F.M. radio broadcast station WPKR at Waupun, Wisconsin and allocate Channel 294-A to Sheboygan Falls, Wisconsin.

In support of these Reply Comments to a Petition for Rulemaking, Wheeler and Midwest respectfully submit an engineering statement prepared by Bruce Charles Herzog, attached hereto as Appendix 1.

Further study shows that the allocations proposed by Wheeler and Midwest can be granted under Section 73.215(a) of the Commission's Rules using current authorized station

#### facilities

Wheeler and Midwest believe that the public interest can best be served by the Commission granting the counterproposals of both SFB and of Wheeler and Midwest.

If the Commission goes forward to make the assignments hereby petitioned, Wheeler shall immediately make application to the Federal Communications Commission for a construction permit to make the channel change of WOWN on its new channel.

If such applications are granted by the Commission the petitioner shall promptly construct the permitted facility.

Respectfully submitted,

Ray L. Wheeler

Chairman

Wheeler Broadcasting, Inc. 1456 E. Green Bay Street

Shawano, WI 54166

(715) 524-2194

James R. Coursolle

President

Midwest Dimensions, Inc.

P.O. Box 3450

Oshkosh, WI 54903

(414) 236-4242

### APPENDIX 1

# FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

RECEIVED

DEC 1 4 1992

### ENGINEERING STATEMENT

FCC - MAIL ROOM

IN THE MATTER OF:

AMENDMENT OF SECTION 73.202(B), ]
TABLE OF ASSIGNMENTS, ]
F.M. BROADCAST STATIONS, ]
(ALLOUEZ, WISCONSIN)

DOC-92-228

PREPARED FOR:

WHEELER BROADCASTING, INC.

AND MIDWEST DIMENSIONS, INC.

DECEMBER 11'TH, 1992

#### PREPARED BY:

BRUCE CHARLES HERZOG BROADCAST ENGINEERING CONSULTANT 1435 KNAPP STREET OSHKOSH, WI 54901

(414) 426-2961

### TABLE OF CONTENTS

- 1. AFFIDAVIT OF PREPARER
- 2. ENGINEERING STATEMENT, Pages 1 thru 3
- 3. EXHIBIT E-1, OCONTO, WISCONSIN CHANNEL 246-A STUDY
- 4. EXHIBIT E-2, ESCANABA, MICHIGAN CHANNEL 245-C STUDY, Pages 1 and 2
- 5. EXHIBIT E-3, PROTECTED AND OVERLAPPING CONTOUR STUDY, Parts 1 thru 6
- 6. EXHIBIT E-4, SHAWANO, WISCONSIN CHANNEL 295-C3 STUDY, Pages 1 and 2

STATE OF WISCONSIN )
COUNTY OF WINNEBAGO)

CITY OF OSHKOSH

RECEIVED

DER 1 V JAAS

FCC - NAIL ROOM

BRUCE CHARLES HERZOG, BEING FIRST DULY SWORN STATES:

THAT HE IS AN BROADCAST ENGINEERING CONSULTANT WITH OFFICES AT 1435 KNAPP STREET; OSHKOSH, WISCONSIN 54901.

THAT HIS QUALIFICATIONS ARE A MATTER OF RECORD BEFORE THE FEDERAL COMMUNICATION COMMISSION IN WASHINGTON, D.C.

THAT HE HAS PREPARED NUMEROUS AM, FM, TELEVISION, TRANSLATOR AND MICROWAVE RADIO APPLICATIONS WHICH HAVE BEEN PROCESSED TO GRANT BY THE F.C.C.

THAT ALL CALCULATIONS AND/OR MEASUREMENTS AND EXHIBITS IN THE ACCOMPANYING REPORT WERE MADE BY HIM PERSONALLY OR UNDER HIS DIRECTION, AND THAT ALL FACTS CONTAINED HEREIN ARE TRUE OF HIS PERSONAL KNOWLEDGE OR BELIEF, AND ON SUCH STATEMENTS MADE ON BELIEF, THEY ARE BELIEVED TO BE TRUE.

AFFIANT

SUBSCRIBED AND SWORN BEFORE ME THIS 11'TH OF DECEMBER, 1992.

NOTARY PUBLIC

Diane Coursolle
NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION:

My Commission Expires Sept. 15, 1996

### RECEIVED

DEC 1 4 1992

FEDERAL COMMUNICATIONS COMMISSION FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

IN THE MATTER OF

AMENDMENT OF SECTION 73.202(B), ]
TABLE OF ASSIGNMENTS, ]
F.M. BROADCAST STATIONS, ]
(ALLOUEZ, WISCONSIN)

**DOCKET 92-228** 

RECEIVED

DEC 1 4 1992

ENGINEERING STATEMENT

FCC - MAIL ROOM

Wheeler Broadcasting, Inc. ("Wheeler"), licensee of F.M. radio broadcast station WOWN at Shawano, Wisconsin, and Midwest Dimensions, Inc., ("Midwest"), licensee of F.M. radio broadcast station WPKR at Waupun, Wisconsin have retained the services of Bruce Charles Herzog, Broadcast Engineering Consultant, to conduct engineering studies and prepare necessary statements and exhibits to support their Reply Comments to the petition of Michael R. Walton ("Walton") to amend section 73.202(b) of the Commission's Rules and Regulations, to assign F.M. channel 260-C3 at Allouez, Wisconsin.

In the Comments submitted by Wheeler and Midwest the Channel Study for WOCO-FM at Oconto, Wisconsin was prepared from a fully spaced illustrative transmitter site. Further studies were conducted to determine whether the current facilities of WOCO-FM could be utilized on the proposed Channel 246-A.

Exhibit E-1 is a Channel Study for Channel 246-A at Oconto, Wisconsin. As can be evidenced from the channel study WOCO-FM would be short spaced to both WGLQ at Escanaba, Michigan

and WBDK at Algoma, Wisconsin under Section 73.207(b)(1) of the Commission's Rules.

Exhibit E-2 is a Channel Study for Channel 245-C at Escanaba, Michigan. As can be evidenced from the channel study the only two problems with WGLQ changing to this channel are a diminimus short spacing to WBDK at Algoma, Wisconsin at the site applied for (FCC File Number BPH-920624IC) and a created short spacing between WOCO-FM at Oconto, Wisconsin and WGLQ at Escanaba.

Exhibit E-3 displays the interfering and protected contours of WGLQ at Escanaba, Michigan, and of WOCO-FM at Oconto, Wisconsin using their currently authorized facilities and of WBDK at Algoma, Wisconsin using its currently applied for facilities. Under Section 73.207(a) of the Commission's Rules, assignments can be made pursuant to Section 73.215(a). As can be evidenced from Exhibit E-3, no overlap of the protected and interfering contours exists.

Should WOCO-FM upgrade to 6 KW from its current authorized 3 KW, a overlap of protected and interfering contours would exist between WOCO-FM and WBDK. Should this occur WBDK has agreed to relocate its transmitter site should Wheeler and Midwest's counterproposal to Walton's Petition for Rulemaking be granted.

Calculations of distance separations set forth in the attached Tables were conducted in accordance with methodology set forth in Section 73.208 of the Commission's

rules.

Exhibit E-4 is a Channel Study for Channel 295-C3 at Shawano. As can be evidenced from the Study the proposal of Wheeler and Midwest is mutually exclusive with Walton s proposal to allocate Channel 294-C3 at Allouez, Wisconsin but not mutually exclusive with Julian Jetzer d/b/a/ Sheboygan Falls Broadcasting's counterproposal to allocate Channel 294-A to Sheboygan Falls, Wisconsin.

Wheeler and Midwest believe that the public interest, convenience and necessity would be better served by reducing interference in the F M. band and by adding an first service F.M. radio broadcast station at Sheboygan Falls, Wisconsin.

Respectfully submitted,

Bruce Charles Herzog

December 11'th, 1992

## RECEIVED EXHIBIT E-1

CHANNEL STUDY

DEC 1 4 1992

JOB TITLE:

OCONTO, WISCONSIN

CHANNEL:

246

FCC - MAIL ROOM

FREQUENCY:

97.1 MHZ

CLASS:

Α

COORDINATES:

44°-53'-31" N.L. 87°-57'- "W.L. (WOCO-FM CURRENT SITE) WHEELER BROADCASTING, INC. AND MIDWEST DIMENSIONS, INC.

PETITIONERS:

DECEMBER 8'TH, 1992

DATE:

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE			REQ. (KM.)
WBDK LIC ** ORDE	ALGOMA WI RED TO CH	BLH-861124KB ANNEL 244-C3 B		100.0	44-39-26 87-33-45	130.0	40.57 9.57	
ALLOC	ALGOMA WI	DOC-89-282	244 C3		44-38-08 87-37-37	137.6	38.55 -3.45	42.0 SHORT
WBDK APP	ALGOMA WI	BPH-920624IC	244 C3	25.0 86.0	44-38-52 87-33-54	131.3	41.10 -0.90	42.0 SHORT
•	ESCANAB MI PROPOSAL	A WOULD MOVE WG	C		46-08-04 86-56-52 EL **	31.7	158.95 -6.05	165.0 SHORT
WUSW LIC	OSHKOSH WI	BLH-911129KB			44-06-01 88-32-02	207.6	99.29 27.29	72.0 CLEAR
WOCO-FM ** THIS	OCONTO WI PROPOSAL	WOULD ADD THIS	A		44-53-31 87-57-18	0.0	0.00 -115.00	115.0 SHORT
WGLQ LIC ** THIS	ESCANABA WI PROPOSAL	A WOULD DELETE	246 C THIS C	325.0	46-08-04 86-56-52	31.7	158.95 -67.05	226.0 SHORT
WCOW-FM LIC	SPARTA WI	BLH-881215KB	246 C1	100.0 179.0	43-58-06 90-51-35	246.1	253.04 53.04	200.0 CLEAR
WZTT CP	RHINELAN WI	NDER BMPH-870303IP		100.0 235.0	45-22-43 89-11-38	299.0	111.46 36.46	75.0 CLEAR
WFNL LIC	STURGEON WI		249 A	2.0 122.0	44-54-21 87-22-15	88.1	46.17 15.17	31.0 CLEAR
WFNL CP	STURGEON WI		249 A	2.0 169.0	44-54-21 87-22-15	88.1	46.17 15.17	31.0 CLEAR

RECEIVED DEC 1 4 1992 EXHIBIT E-2

CHANNEL STUDY

JOB TITLE:

ESCANABA, MICHIGAN

CHANNEL:

245

FREQUENCY:

96.9 MHZ

FCC - MAIL ROOM

CLASS:

COORDINATES:

 $46^{\circ}-08'-04"$  N.L.  $86^{\circ}-56'-52"$  W.L. (WGLQ CURRENT SITE) WHEELER BROADCASTING, INC. AND MIDWEST DIMENSIONS, INC.

PETITIONERS: DATE:

DECEMBER 7'TH, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW HAAT (M			DIST. (KM.)	REQ. (KM.)
PRM ** ADDIT	PESHTIG WI FION OF T	O DOC-91-240 HIS CHANNEL PRO	242 C2 OPOSED	) **	45-07-19 87-51-07	212.1	132.80 27.80	105.0 CLEAR
WOLF-FM CP	HOUGHTO MI	N BPH-901218JZ	242 C1	100.0 177.0	47-08-06 88-33-53	311.9	166.44 61.44	105.0 CLEAR
LIC	ALGOMA WI RED TO CH	BLH-861124KB ANNEL 244-C3 B		3.0 100.0 89-282 *	44-39-26 87-33-45	196.3	171.04 76.04	95.0 CLEAR
WBDK APP	ALGOMA WI	BPH-920624IC	244 C3	25.0 86.0	44-38-52 87-33-54	196.3	172.15 -3.85	176.0 SHORT
ALLOC	ALGOMA WI	DOC-89-282	244 C3		44-38-08 87-37-37	197.7	174.87 -1.13	176.0 SHORT
WWLZ APP	CADILLA MI		244 C3	7.2 184.0	44-22-51 85-33-24	150.7	223.40 47.40	176.0 CLEAR
ALLOC	CADILLA WI		244 C3		44-20-25 85-35-34	151.9	226.01 50.01	176.0 CLEAR
WGLQ ** THIS	ESCANABA MI PROPOSAL	A WOULD MOVE WGI	245 C Q TO	THIS CHA	46-08-04 86-56-52 NNEL **		0.00 -290.00	290.0 SHORT
WUSW LIC	OSHKOSH WI	BLH-911129KB	245 A	6.0 100.0	44-06-01 88-32-02	208.9	258.23 32.23	226.0 CLEAR
WOCO-FM ** THIS	OCONTO WI PROPOSAL	DOC-92-228 WOULD MOVE WOO	246 A O-FM	TO THIS	44-52-18 88-03-23 CHANNEL **	211.7	158.95 -6.05	165.0 SHORT

RECEIVED

EXHIBIT E-2

CHANNEL STUDY

UEC 1 4 1992

JOB TITLE:

ESCANABA, MICHIGAN

CHANNEL:

245

FREQUENCY:

96.9 MHZ

FCC - MAIL ROOM

CLASS: COORDINATES:

С

 $46^{\circ}-08'-04"$  N.L.  $86^{\circ}-56'-52"$  W.L. (WGLQ CURRENT SITE)

PETITIONERS:

WHEELER BROADCASTING, INC. AND MIDWEST DIMENSIONS, INC.

DATE:

DECEMBER 7'TH, 1992

CALL STATUS	CITY STATE FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WGLQ LIC ** THIS	ESCANABA WI PROPOSAL WOULD DELETI	246 C E THIS C	100.0 325.0 HANNEL **	46-08-04 86-56-52	0.0	0.00 -241.00	241.0 SHORT
WMQT LIC	ISHPEMING MI BLH-850515KO	298 C C1	100.0 161.0	46-28-42 87-37-21	306.3	64.52 23.52	41.0 CLEAR

PETITIONEERS: Wheeler Broadcasting, Inc. EXHIBIT: E-3, Part 1 of 6
And Midwest Dimensions FRECENED

Prepared 12/11/92

DEC 1 4 1992

This Exhibit, presented in six parts, sets forth FCC-MAIL ROOM, information regarding the protected and interfering contours for F.M. radio broadcast stations WGLQ at Escanaba, Michigan, WOCO-FM at Oconto, Wisconsin and WBDK at Algoma, Wisconsin with WGLQ and WOCO-FM on the channels proposed by Wheeler Broadcasting, Inc. and Midwest Dimensions, Inc.

Part One, this narrative, states pertinent information. Part Two is a table of distance to contours for WGLQ at Escanaba, Michigan. Part Three is a table of distance to contours for WOCO-FM using their current authorized facilities of 3 KW with a HAAT of 64 meters. Part Four is a table of distance to contours for WBDK's applied for facility.

Part Five is a portion of the Green Bay Sectional Aeronautical Chart, Scale 1:500,000, 44th Edition, June 25, 1992. This map shows clearly, legibly and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers, the transmitter locations for WGLQ, WOCO-FM and WBDK, and the protected and interfering contours between WGLQ and both WOCO-FM and WBDK.

Part Six of this Exhibit is a portion of the Manitowoc, Wisconsin; Michigan, 1:250,000 scale U.S.G.S. map dated 1954. This map shows clearly, legibly and accurately, and with the original printed latitude and longitude markings and a scale of

Prepared 12/11/92

distance in kilometers, the transmitter locations for WOCO-FM and WBDK, and the protected and interfering contours between WOCO-FM and WBDK.

As can be evidenced from Parts Five and Six of this Exhibit, no overlaps of protected and interfering contours would exist between the stations that would be short spaced under Section 73.207(b) of the Commission's Rules. The channel subtitutions could be granted under Section 73.215(b) of the Commission's Rules.

PETITIONEERS: Wheeler Broadcasting, Inc.
And Midwest Dimensions, Inc.

EXHIBIT: E-3, Part 2 of 6

Prepared 12/07/92

### WGLQ AT ESCANABA, MICHIGAN

BEARING IN DEGREES	HAAT METERS	ERP KW	60 dBu F(50,50) CONTOUR	54 dBu F(50,10) CONTOUR
175	360.8	100	76.9 KM	113.3 KM
180	357.9	100	76.7 KM	112.9 KM
185	356.7	100	76.7 KM	112.7 KM
190	350.8	100	76.1 KM	111.7 KM
195	349.2	100	76.0 KM	111.5 KM
200	347.6	100	75.9 KM	111.2 KM
205	342.4	100	75.5 KM	110.4 KM
210	336.7	100	75.1 KM	109.5 KM
215	330.1	100	74.6 KM	108.5 KM
220	326.0	100	74.3 KM	107.9 KM
225	323.3	100	74.1 KM	107.6 KM
230	319.0	100	73.8 KM	107.1 KM

PETITIONEERS: Wheeler Broadcasting, Inc.
And Midwest Dimensions, Inc.

EXHIBIT: E-3, Part 3 of 6

Prepared 12/07/92

WOCO-FM	$\mathbf{AT}$	OCONTO,	WISCONSIN

BEARING IN DEGREES	HAAT METERS	ERP <u>KW</u>	60 dBu F(50,50) CONTOUR	54 dBu F(50,10) CONTOUR
010	56.7	3.0	18.5 KM	27.0 KM
015	54.1	3.0	18.0 KM	26.4 KM
020	53.9	3.0	18.2 KM	26.4 KM
025	58.1	3.0	18.7 KM	27.4 KM
030	61.0	3.0	19.1 KM	28.0 KM
035	62.9	3.0	19.4 KM	28.4 KM
040	66.3	3.0	19.9 KM	29.1 KM
045	68.0	3.0	20.1 KM	29.5 KM
050	69.2	3.0	20.3 KM	29.8 KM

PETITIONEERS: Wheeler Broadcasting, Inc. And Midwest Dimensions, Inc. EXHIBIT: E-3, Part 3 of 6

Prepared 12/07/92

### WOCO-FM AT OCONTO, WISCONSIN

BEARING IN DEGREES	HAAT METERS	ERP KW	60 dBu F(50,50) CONTOUR	80 dBu F(50,10) CONTOUR
110	77.9	3.0	21.5 KM	6.6 KM
115	78.2	3.0	21.5 KM	6.6 KM
120	78.7	3.0	21.6 KM	6.6 KM
125	78.7	3.0	21.6 KM	6.6 KM
130	78.7	3.0	21.6 KM	6.6 KM
135	78.5	3.0	21.5 KM	6.6 KM
140	78.1	3.0	21.5 KM	6.6 KM
145	77.7	3.0	21.4 KM	6.6 KM
150	77.3	3.0	21.4 KM	6.6 KM
155	77.2	3.0	21.4 KM	6.6 KM
160	76.5	3.0	21.3 KM	6.5 KM

PETITIONEERS: Wheeler Broadcasting, Inc.
And Midwest Dimensions, Inc.

EXHIBIT: E-3, Part 4 of 6

Prepared 12/07/92

### WBDK AT ALGOMA, WISCONSIN

BEARING IN DEGREES	HAAT METERS	ERP <u>KW</u>	60 dBu F(50,50) CONTOUR	54 dBu F(50,10) CONTOUR
355	86.1	25.0	36.6 KM	57.4 KM
000	91.9	25.0	37.7 KM	58.6 KM
005	94.8	25.0	38.2 KM	59.2 KM
010	96.1	25.0	38.4 KM	59.4 KM
015	96.3	25.0	38.5 KM	59.5 KM
020	96.3	25.0	38.5 KM	59.5 KM
025	96.5	25.0	38.5 KM	59.5 KM
030	95.2	25.0	38.3 KM	59.3 KM
035	95.6	25.0	38.3 KM	59.3 KM

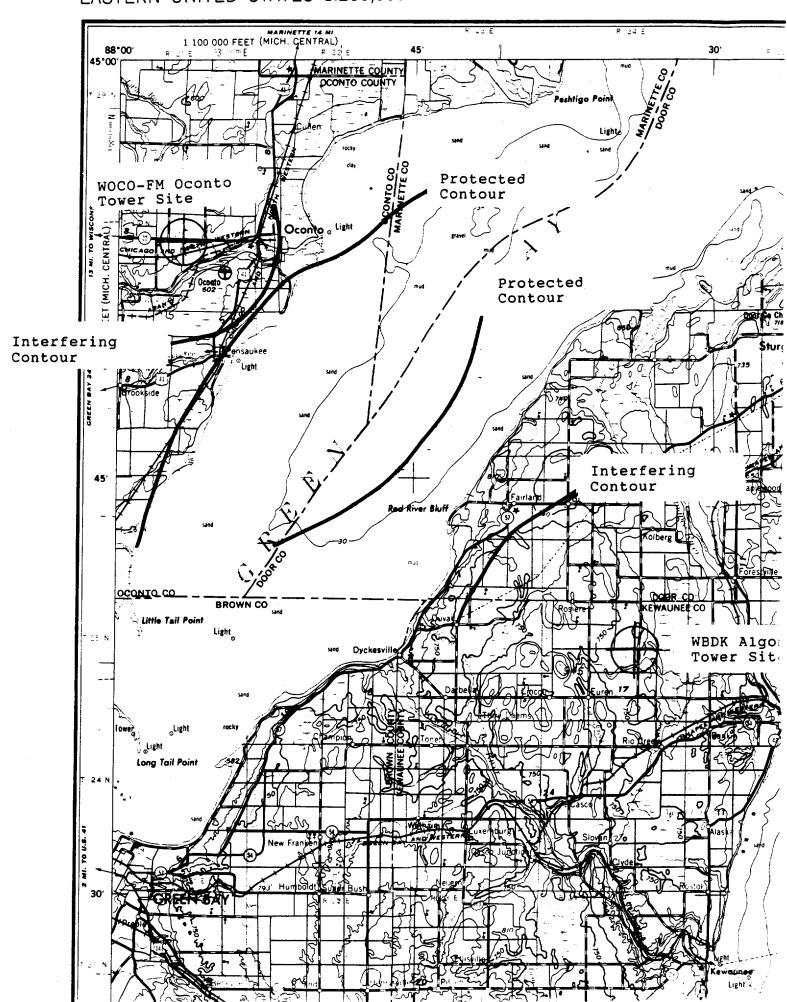
PETITIONEERS: Wheeler Broadcasting, Inc.
And Midwest Dimensions, Inc.

EXHIBIT: E-3, Part 4 of 6

Prepared 12/07/92

### WBDK AT ALGOMA, WISCONSIN

BEARING IN DEGREES	HAAT METERS	ERP <u>KW</u>	60 dBu F(50,50) CONTOUR	80 dBu F(50,10) CONTOUR
290	76.1	25.0	34.6 KM	11.3 KM
295	75.2	25.0	34.6 KM	11.3 KM
300	74.9	25.0	34.3 KM	11.2 KM
305	74.7	25.0	34.3 KM	11.2 KM
310	73.6	25.0	34.1 KM	11.1 KM
315	73.7	25.0	34.1 KM	11.2 KM
320	70.1	25.0	33.3 KM	10.9 KM
325	67.8	25.0	32.8 KM	10.8 KM
330	69.4	25.0	33.2 KM	10.9 KM



### MANITOWOC

